

DECLARATION OF SCOTT R. DRURY

Scott R. Drury, an attorney, declares as follows:

1. My name is Scott R. Drury. I am an attorney at Loevy & Loevy in Chicago, Illinois. I am licensed to practice law in the State of Illinois.

2. I am an attorney of record in the matter of *Mutnick v. Clearview AI, Inc.*, 1:20-cv-512, pending in the United States District Court for the Northern District of Illinois (the “*Mutnick* Class Action”). I have personal knowledge of the filings made on behalf of David Mutnick in the *Mutnick* Class Action.

3. David Mutnick is the plaintiff in the *Mutnick* Class Action. David Mutnick is a resident of Deerfield, Illinois.

4. On April 20, 2020, I visited the website of CDW Government, LLC at <https://cdwg.org>. At the bottom of the home page was a link for “Investor Relations.” I clicked on the link. When I clicked on the link, I was taken to a webpage located at <https://investor.cdw.com/overview/default.aspx>. The webpage contained links to financial information for CDW Corporation.

5. The *Mutnick* Class Action is in its early stages. I presently anticipate that at a trial of the *Mutnick* Class Action, witnesses from the Chicago Police Department and Illinois Secretary of State’s Office would be called to testify regarding their use of Clearview AI, Inc.’s biometric database – which, based on published reports, is a database containing the biometric identifiers and information of numerous individuals.

6. In connection with my work in the *Mutnick* Class Action, I have kept track of other cases filed against Clearview AI, Inc. On February 5, 2020, a complaint was filed against Clearview AI, Inc. in the matter of *Hall v. Clearview AI, Inc.*, No. 1:20-cv-846 (N.D. Ill.) (“*Hall*”).

A motion has been filed to reassign *Hall* to the judge assigned to the *Mutnick* Class Action. The motion is pending. Hall's counsel is based in Illinois.

7. The original complaint filed in the *Mutnick* Class Action inadvertently and incorrectly cited to 740 ILCS §§ 14/15(b) and (a) in Counts Eight and Nine, respectively. The citations should have been reversed.

8. In connection with my work in the *Mutnick* Class Action, I have prepared and served multiple Freedom of Information Act requests on behalf of Mr. Mutnick. The requests have been issued to multiple public agencies. To date, over a 1,000 pages of documents have been received and reviewed, with additional requests outstanding.

9. On April 8, 2020, I filed "Plaintiff's Motion for Preliminary Injunction" in the *Mutnick* Class Action. The next day counsel in the matter *Calderon v. Clearview AI, Inc.*, 1:20-cv-01296-CM, pending in the United States District Court for the Southern District of New York filed a motion to be appointed as interim lead counsel in that matter. Counsel for Calderon provided no assistance with the preliminary injunction motion.

10. Exhibit A, hereto, is a true and accurate copy of the First Amended Class Action Complaint in the *Mutnick* Class Action.

11. Exhibit B, hereto, is a true and accurate copy of a printout from the website of the Delaware Department of State: Division of Corporations related to a search for "Clearview AI, Inc." I visited the website on April 21, 2020.

12. Exhibit C, hereto, is a true and accurate copy of a printout from the website of the New York State Department of State: Division of Corporations related to a search for "Clearview AI, Inc." The printout states that "No business entities were found for Clearview AI, Inc." I visited the website on April 21, 2020.

13. Exhibit D, hereto, is a true and accurate copy of a printout from the website of the Illinois Secretary of State related to a search for “CDW Government, LLC.” I visited the website on April 21, 2020.

14. Exhibit E, hereto, is a true and accurate copy of portions of CDW Corporation’s 2019 Annual Report, which I downloaded from the following web address: https://investor.cdw.com/files/doc_financials/2020/CDW-2019-Annual-Report-Form-10K.pdf. I visited the website on April 21, 2020.

15. Exhibit F, hereto, is a true and accurate copy of a Clearview AI, Inc. Quote to the Chicago Police Department that was produced by the Chicago Police Department in response to a Freedom of Information Act request. The invoice is dated September 4, 2019 and states that payment should be made to the attention of Richard Schwartz.

16. Exhibit G, hereto, is a true and accurate copy of purchase order documents related to the Chicago Police Department’s purchase of the “Clearview AI technology database and investigative toolkit.” The documents were produced by the Chicago Police Department in response to a Freedom of Information Act request.

17. Exhibit H, hereto, is a true and accurate copy of the Class Action Complaint in the *Mutnick* Class Action.

18. Exhibit I, hereto, is a true and accurate copy of “Plaintiff’s Memorandum of Law in Support of Motion for Preliminary Injunction,” filed in the *Mutnick* Class Action.

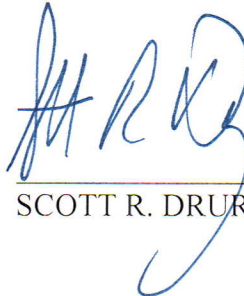
19. Exhibit J, hereto, is a true and accurate copy of an Order entered by the Court in the *Mutnick* Class Action on April 8, 2020.

20. Exhibit K, hereto, is a true and accurate copy of a “Notice of Supplemental Factual Information in Support of Motion for Preliminary Injunction,” filed in the *Mutnick* Class Action.

21. Exhibit L, hereto, is a true and accurate copy of the “Memorandum of Law in Support of Defendant Clearview AI, Inc.’s Motion to Transfer Venue Under 28 U.S.C. § 1404 and Stay Case Pending Decision on Transfer,” filed in the matter of *Roberson v. Clearview AI, Inc.*, No. 1:20-cv-00111-RDA-MSN, pending in the Eastern District of Virginia. I downloaded the filing from the Court’s electronic filing system.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 21, 2020



SCOTT R. DRURY